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C O N F I D E N T I A L SECTION 01 OF 02 MANILA 001021

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SUBJECT: FIVE LEFTIST LAWMAKERS REMAIN "UNDER PROTECTIVE CUSTODY" AT HOUSE

REF: A. MANILA 889

[1](#)B. MANILA 853

Classified By: Acting Pol/C Joseph L. Novak for reasons
1.4 (b) and (d).

[1](#)1. (C) Summary: Five leftist lawmakers remain "under protective custody" at the House of Representatives complex in metro Manila. The Department of Justice (DoJ) Secretary and the five claim that they will be arrested if they leave the premises. It is not clear what exactly the five might be arrested for, given that the DoJ still claims to be reviewing charges prepared by the police. Another leftist lawmaker, Congressman Beltran, is detained at police headquarters at Camp Crame. Based on Mission's understanding, Beltran remains one of only three civilians under detention in the wake of the termination of the State of Emergency on March 3.
End Summary.

Five Lawmakers Encamp at House

[1](#)2. (C) Five leftist "party list" lawmakers remain "under protective custody," courtesy of Speaker Jose De Venecia, at the House of Representatives complex in metro Manila. (Note: Under the 1987 Constitution, some seats in the House of Representatives are reserved for those who represent "multi-sectoral" organizations, rather than legislative districts. These "party list" positions tend to be dominated by left-wing political parties. End Note.) The Department of Justice (DoJ) Secretary and the five claim that they will be arrested if they leave the premises. The five are:

- Congressman Satur Ocampo from the Bayan Muna party;
- Congressman Theodore Casino from the Bayan Muna party;
- Congressman Joel Virador from the Bayan Muna party;
- Congressman Rafael Mariano from the Anak Pawis party; and,
- Congresswoman Liza Maza from the Gabriela party.

Based on what we understand, the five -- who have been staying in the offices of House Speaker De Venecia since February 26 -- continue to perform their daily duties, including attending House sessions. Colleagues of the five told Poloff on March 6 that the representatives are "comfortable" and that other House members are seeing to their needs. During his visit to the House complex, Poloff observed numerous banners and posters demonizing President Arroyo and demanding an end to the "political persecution" of the five.

[1](#)3. (C) It is not clear what exactly the five might be

arrested for, given that the DoJ claims to be reviewing charges filed by the police on February 27. The charges seem based on alleged involvement by the five lawmakers in a plot to destabilize the government in late February (see reftels).

Assistant Chief State Prosecutor Richard Fadullion, who co-chairs the task force handling the cases filed against the five lawmakers, told Pol FSN on March 6 that the preliminary investigation is scheduled to begin next week (contrary to previous statements by Justice Secretary Gonzalez to the effect that the investigation was already underway). If the DoJ determines that there is probable cause, it will file a court case and a judge will determine whether to issue an arrest warrant. Atty. Artemio "Tim" Adasa, Jr., Deputy Secretary for Legislative Operations at the House, told

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Poloff on March 6 that he believes the DoJ will have no choice but to file charges against the lawmakers because failure to do so would result in a huge "loss of face" with the public.

Beltran at Camp Crame

14. (C) Another leftist lawmaker, Congressman Crispin Beltran of the Anak Pawis party, remains under arrest and is detained at police headquarters at Camp Crame. Beltran, who was arrested on an outstanding warrant on February 25 at his farm in Bulacan, just outside of Manila, has claimed health problems and is ensconced at the Camp's infirmary. On March 5, approximately 30 Beltran supporters managed to enter Camp Crame, where they demanded his immediate release. After a brief standoff with police outside the hospital, the group dispersed peacefully. Unlike the other lawmakers, Beltran is facing pre-existing charges -- inciting sedition -- dating

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back to 1985. When -- or even whether -- Beltran will appear in court is not clear.

Comment

15. (C) The leftist lawmakers seem to be enjoying all the fuss their situation is causing. They and their supporters clearly see it as an opportunity to score points against the government by portraying themselves as political victims. As reported in reftels, over 51 people have been charged with rebellion and related crimes and additional arrest warrants have been issued for several people who remain in hiding, but so far only three civilians (including Beltran) have been arrested in connection with the alleged destabilization efforts against the government. (Note: Four members of the military -- including Brigadier General Danilo "Danny" Lim of the Scout Rangers -- remain under military detention for their apparent role in recent anti-government efforts. End Note.)

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